

**ORDINANCE NO. 2011208-098**

**AN ORDINANCE AMENDING ORDINANCE NO. 20090312-035 FOR THE NORTH BURNET/GATEWAY NEIGHBORHOOD PLAN COMBINING DISTRICT TO MODIFY THE REGULATING PLAN, REZONING AND CHANGING THE ZONING MAP FROM NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING DISTRICT TO NORTH BURNET/GATEWAY-NEIGHBORHOOD PLAN (NBG-NP) COMBINING DISTRICT FOR THE PROPERTY LOCATED AT 11301 BURNET ROAD.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The North Burnet/Gateway zoning district area with regulating plan (“the NBG district”) was adopted under Ordinance No. 20090312-035 and is comprised of approximately 1,443 acres of land described in Zoning Case No. C14-2008-0182, locally known as the area generally bounded by Metric Boulevard on the east, U.S. Highway 183 on the south and west, and Braker Lane, North Mopac Expressway, and Walnut Creek on the north and northwest, in the City of Austin, Travis County, Texas.

**PART 2.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from North Burnet/Gateway-neighborhood plan (NBG-NP) combining district to North Burnet/Gateway-neighborhood plan (NBG-NP) combining district on the property described in Zoning Case No. C14-2011-0050, on file at the Planning and Development Review Department, as follows:

A 13.673 acre tract of land, more or less, out of Lot 2, Block “A”, IBM Subdivision East, the 13.673 acre tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance (the “Property”),

locally known as 11301 Burnet Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “B”.

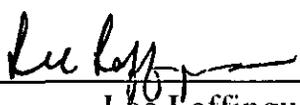
**PART 3.** The NBG district Regulating Plan identified and defined subdistricts within the plan area and established boundaries for each subdistrict. The Property currently is within the transit oriented development (“TOD”) subdistrict and lies adjacent to the commercial mixed use (“CMU”) subdistrict to its north as shown on Exhibit “C”. The boundaries of the commercial mixed use subdistrict shall be expanded to include the entire Property as shown on Exhibit “D”.

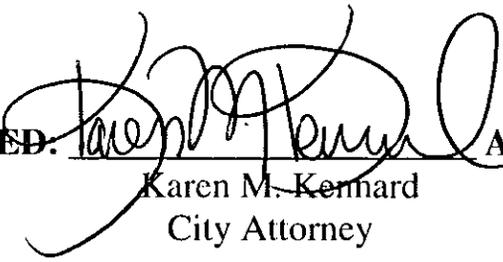
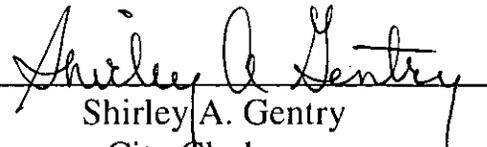
**PART 4.** The North Burnet/Gateway Zoning District Subdistrict Map (“Map”) and other applicable references affecting the Property that are provided in the Regulating Plan are revised to show the changes in the boundaries of the subdistricts for the Property as shown on Exhibit “E”. The revised Map shall be substituted where appropriate in the Regulating Plan documents.

**PART 5.** Except as set forth in Part 3 and Part 4 of this ordinance, the Property is subject to Ordinance No. 20090312-035, and its terms and conditions remain in effect.

**PART 6.** This ordinance takes effect on December 19, 2011.

**PASSED AND APPROVED**

December 8, \_\_\_\_\_, 2011      §  
   §        
   §      \_\_\_\_\_  
        Lee Leffingwell  
        Mayor

**APPROVED:**       **ATTEST:**   
        Karen M. Kennard      Shirley A. Gentry  
        City Attorney      City Clerk

13.673 ACRES  
ENDEAVOR REAL ESTATE GROUP  
ZONING TRACT

FN. NO. 11-324(MJJ)  
OCTOBER 3, 2011  
BPI JOB NO. R010123110005

**EXHIBIT A**  
**DESCRIPTION**

OF 13.673 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A" IBM SUBDIVISION EAST, OF RECORD IN VOLUME 94, PAGE 88 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 13.673 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap set in the easterly right-of-way line of Burnet Road (F.M. 1325 - R.O.W. varies), being in the southerly line of Lot 1, Block "A" of said IBM Subdivision East and the northeasterly corner of that certain 0.295 acre Street Deed of record in Document No. 2001185633 of the Official Public Records of Travis County, Texas, being the northwesterly corner of said Lot 2, for the northwesterly corner hereof, from which a 1/2 inch iron rod found for the northwesterly corner of said 0.295 acre Street Deed of Record, being the southwesterly corner of said Lot 1 bears, N62°24'54"W, a distance of 10.23 feet;

THENCE, S62°24'54"E, leaving the easterly line of Burnet Road, along the common line of said Lot 1 and said Lot 2, for the northerly line hereof, a distance of 255.76 feet to the POINT OF BEGINNING and northeasterly corner hereof;

THENCE, S62°24'54"E, in part along the common line of said Lot 1, Block "A" IBM Subdivision East and said Lot 2 and in part over and across said Lot 2, for the northerly line hereof, a distance of 1134.68 feet to a point in the westerly line of that certain tract of land conveyed to the City of Austin of record in Volume 9837, Page 422 of the Real Property Records of Travis County, Texas, being the easterly line of said Lot 2, for the northeasterly corner hereof;

THENCE, S22°01'26"W, along the westerly line of said City of Austin tract, being the easterly line of said Lot 2, for the easterly line hereof, a distance of 402.70 feet to the southeasterly corner hereof;

THENCE, leaving the westerly line of said City of Austin tract, over and across said Lot 2, for the southerly line hereof, the following seven (7) courses and distances:

- 1) N81°18'52"W, a distance of 613.78 feet to the point of curvature of a curve to the left;
- 2) Along said curve to the left having a radius of 40.00 feet, a central angle of 67°56'07", an arc length of 47.43 feet and a chord which bears, N47°20'48"W, a distance of 44.70 feet to the end of said curve;
- 3) N81°18'52"W, a distance of 44.06 feet to the point of curvature of a curve to the right;

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OCTOBER 3, 2011  
PAGE 2 OF 2

- 4) Along said curve to the right having a radius of 225.00 feet, a central angle of  $32^{\circ}47'55''$ , an arc length of 128.80 feet and a chord which bears,  $N64^{\circ}54'54''W$ , a distance of 127.05 feet to the end of said curve;
- 5)  $N48^{\circ}30'57''W$ , a distance of 140.22 feet to the point of curvature of a curve to the left;
- 6) Along said curve to the left having a radius of 225.00 feet, a central angle of  $24^{\circ}41'17''$ , an arc length of 96.95 feet and a chord which bears,  $N60^{\circ}49'37''W$ , a distance of 96.20 feet to the end of said curve;
- 7)  $N74^{\circ}27'15''W$ , a distance of 25.00 feet to the southwesterly corner hereof;

THENCE,  $N15^{\circ}24'07''E$ , continuing over and across said Lot 1, for the westerly line hereof, a distance of 589.96 feet to the POINT OF BEGINNING, containing an area of 13.673 acres (595,576 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(93).

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE LAND DESCRIPTION WAS DETERMINED BY A SURVEY MADE ON THE GROUND BY ME OR UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS  
ENGINEERS-SURVEYORS  
221 W. SIXTH STREET , STE. 600  
AUSTIN, TEXAS 78701

*Mark J. Jezisek 10/3/11*  
MARK J. JEZISEK      DATE  
R.P.L.S. NO. 5267  
STATE OF TEXAS



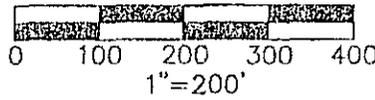
**LEGEND**

P.O.B. POINT OF BEGINNING  
 P.O.C. POINT OF COMMENCEMENT

LOT 1, BLOCK "A"  
 IBM SUBDIVISION EAST  
 VOL. 94, PG. 88



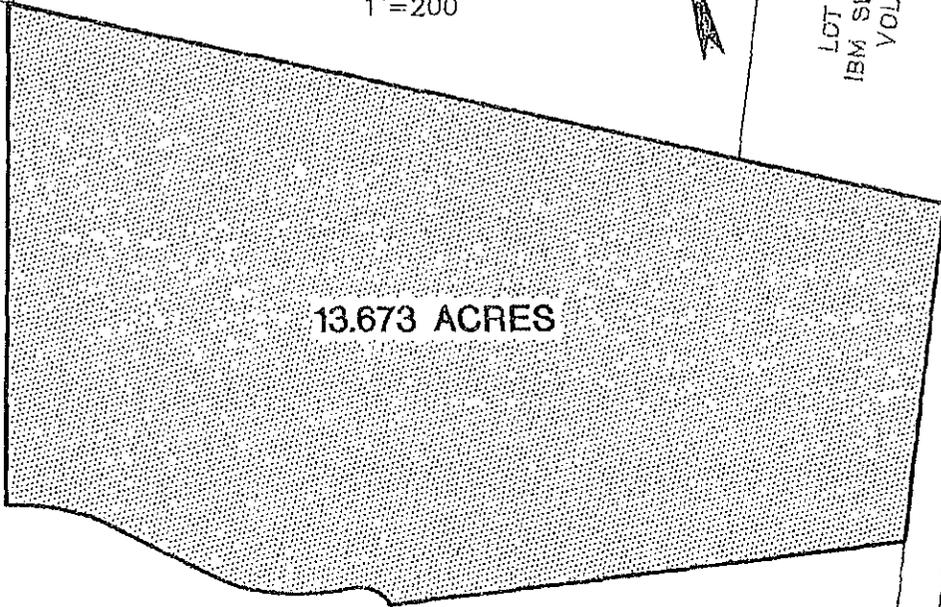
LOT 2, BLOCK "A"  
 IBM SUBDIVISION EAST  
 VOL. 94, PG. 88



P.O.C.  
 TRACT 2

P.O.B.  
 TRACT 2

BURNET ROAD (F.M. HIGHWAY 1325) (120' R.O.W.)



13.673 ACRES

LOT 2, BLOCK "A"  
 IBM SUBDIVISION EAST  
 VOL. 94, PG. 88

33.56 ACRES  
 CITY OF AUSTIN  
 VOL. 3050, PG. 2340

CITY OF AUSTIN  
 VOL. 9837, PG. 422

LOT 1 BLOCK "A"  
 HARDAGE SUBDIVISION  
 DOC. NO. 199900271



**Bury+Partners**  
 ENGINEERING SOLUTIONS  
 221 West Sixth Street, Suite 600  
 Austin, Texas 78701  
 Tel. (512)328-0011 Fax (512)328-0325  
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**SKETCH TO ACCOMPANY DESCRIPTION**  
 OF 13.673 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A" IBM SUBDIVISION EAST, A SUBDIVISION OF RECORD IN VOLUME 94, PAGE 88 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

**ENDEAVOR REAL ESTATE GROUP**

DATE: 10/03/11 | FILE: H:\101231\005\101231005EX3.DWG | FN No.: 11-324(MJJ) | DRAWN BY: M.J.J. | PROJ. No: R010123110005



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SCALE: 1"=500'



LEGEND

- Transit - Oriented Development (TOD)
- Commercial Mixed - Use (CMU)

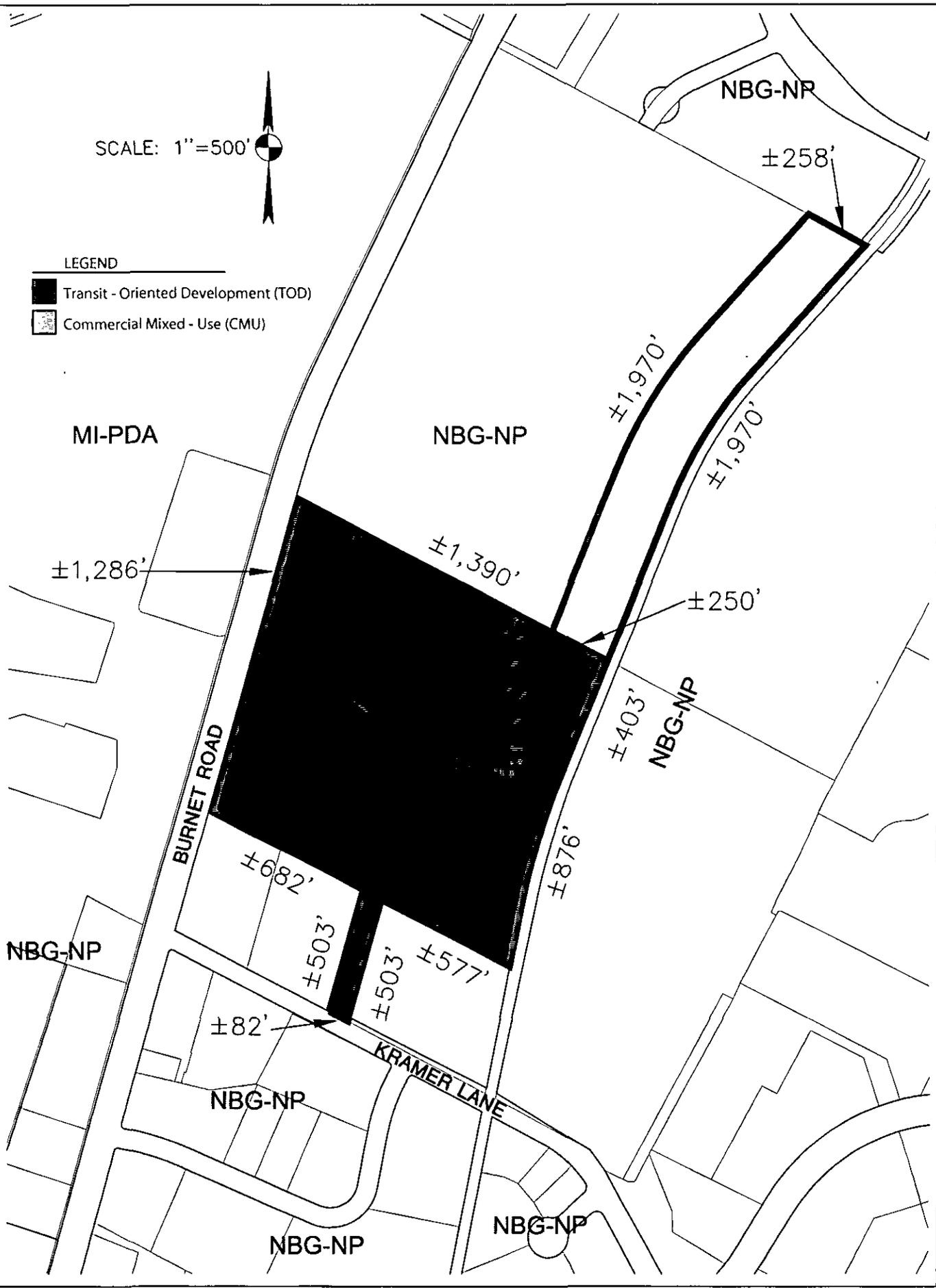


EXHIBIT C

SCALE: 1"=500'



LEGEND

-  Transit - Oriented Development (TOD)
-  Commercial Mixed - Use (CMU)

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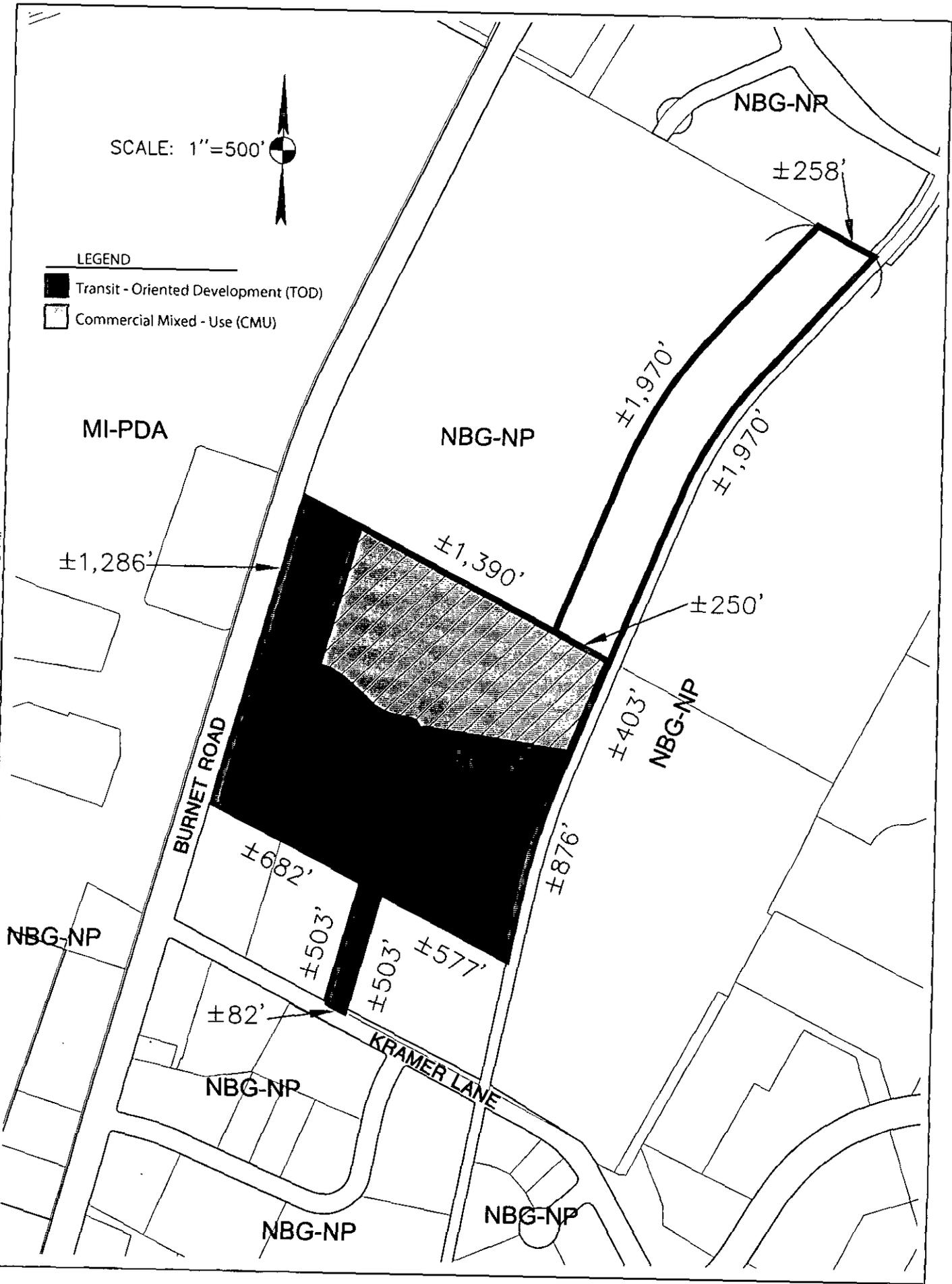


EXHIBIT D

Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District  
Subdistrict Map

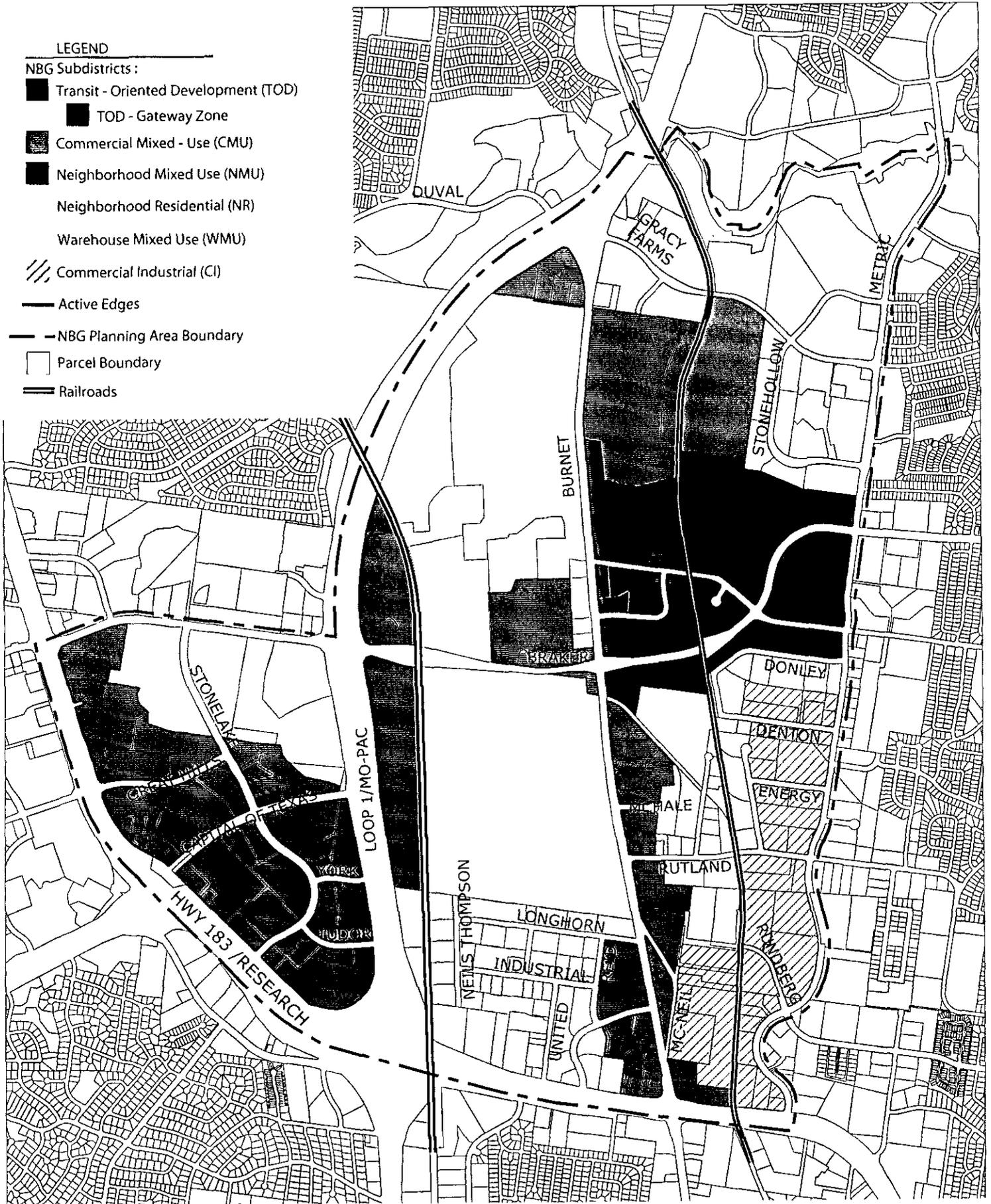


EXHIBIT E



1 MILE

